

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ANTHONY M. GREER,)
Plaintiff,)
v.)
BILL BOWYER, et al.,)
Defendants.)

No. 4:19-CV-1213 JAR

MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. On May 3, 2019, six prisoners confined at the Farmington Correctional Center including plaintiff Anthony M. Greer, filed a lawsuit pursuant to 42 U.S.C. § 1983, naming 7 defendants. *See Faircloth v. Bowyer*, 4:19-CV-1188-RLW, ECF No. 1 (E.D. Mo. May 3, 2019). Because the Court does not allow prisoners to join together and proceed *in forma pauperis* in a single lawsuit, the Court severed the plaintiffs and opened new cases for each one, using the complaint filed in the originating action. *See* ECF No. 2. On July 9, 2019, the Court entered an order granting plaintiff leave to proceed *in forma pauperis*. In the same order, the Court reviewed the complaint and found it subject to dismissal, but gave plaintiff the opportunity to file an amended complaint on the Court-provided form to cure his pleading deficiencies. ECF No. 5. The Court cautioned plaintiff that his failure to timely comply with the order would result in the dismissal of his case. Plaintiff's response was due by August 8, 2019.

To date, plaintiff has neither responded to the Court's order, nor sought additional time to do so. Plaintiff was given meaningful notice of what was expected, he was cautioned that his case would be dismissed if he failed to timely comply, and he was given ample time to comply. The

Court will therefore dismiss this action, without prejudice, due to plaintiff's failure to comply with the Court's July 9, 2019, order and his failure to prosecute his case. *See Fed. R. Civ. P. 41(b); see also Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (the authority of a court to dismiss *sua sponte* for lack of prosecution is inherent power governed "by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases"); *Brown v. Frey*, 806 F.2d 801, 803 (8th Cir. 1986) (a district court has the power to dismiss an action for the plaintiff's failure to comply with any court order).

Accordingly,

IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.

Dated this 19th day of August, 2019.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE